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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q66584

Masayuki NAYA, et al.

Appln. No.: 10/053,585

Group Art Unit: 2878

Confirmation No.: 3648

Examiner: NOT YET ASSIGNED

Filed: January 24, 2002

For: SURFACE PLASMON RESONANCE MEASURING CHIP AND METHOD OF  
MANUFACTURE THEREOF

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed  
concurrently herewith was first cited in any communication from a foreign patent office in a  
counterpart foreign application not more than three months prior to the filing of said Information  
Disclosure Statement.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Respectfully submitted,

Darryl Mexic

Registration No. 23,063

Date: June 24, 2004

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith. Also, enclosed is a European Office Action in a corresponding European Patent Application, citing the references enclosed with this IDS.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/053,585

Attorney Docket No.: Q66584

fee under 37 C.F.R. § 1.17(p) is required. Nevertheless, since a Statement can be made, one is submitted herewith.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

*Submitted herewith are English language abstracts of Japanese Patent Laid-open Publication Nos. 9-257699 and 9-257701 and International Publication No. 01/69207, which abstracts constitute concise statements of relevance of the respective references.*

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

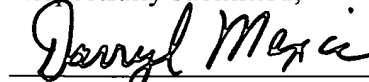
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Darryl Moxie

Registration No. 23,063

Substitute for Form 1449 A & B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/053,585
				Confirmation Number	3648
				Filing Date	January 24, 2002
				First Named Inventor	Masayuki NAYA
				Art Unit	2878
				Examiner Name	NOT YET ASSIGNED
				Attorney Docket Number	Q66584
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		JP	9-257699	A	10/3/1997	TOTO LTD.	Abstract
		JP	9-257701	A	10/3/1997	TOTO LTD.	Abstract
		EP	0 936 227	A1	8/18/1999	MITSUBISHI RAYON CO., LTD.	Abstract
		WO	01/69207	A1	9/20/2001	FUJI PHOTO FILM CO., LTD.	Abstract
		EP	1 186 881	A1	3/13/2002	FUJI PHOTO FILM CO., LTD.	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		CARR R ET AL., "Development of a surface plasmon resonance sensor for commercial applications", SENSOR AND ACTUATORS B, ELSEVIER SEQUOIA S.A., LUASANNE, CH, vol. 39, no. 1-3, March 1, 1997, pages 375-379, XP004087775	
		Japanese Abstract No. 62083121, dated April 16, 1987	
		Japanese Abstract No. 09207178, dated August 12, 1997	
		NATSUUME T ET AL., "A NEW HIGH HEAT RESISTANT, HIGH CLARITY, AND HIGH HUMIDITY RESISTANT POLYMER FOR OPTICAL USES", MATERIALS RESEARCH SOCIETY SYMPOSIUM PROCEEDINGS, MATERIALS RESEARCH SOCIETY, PITTSBURG, PA, US, vol. 150, April 25, 1989, pages 245-250, XP009007850	
		Japanese Abstract No. 2000178317, dated June 27, 2000	
		Japanese Abstract No. 11029526, dated February 2, 1999	
		JORGENSEN R C., "A surface plasmon resonance side active retro-reflecting sensor", SENSORS AND ACTUATORS B, ELSEVIER SEQUOIA S.A., LAUSANNE, CH, vol. 73, no. 2-3, March 10, 2001, pages 236-248, XP004317284	
		Japanese Abstract No. 2002296177, dated October 9, 2002	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.